



ATTORNEY DOCKET NO. 43890-449  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#1/Election  
W/Amend  
12/27/01  
RECEIVED  
DEC 21 2001  
TECHNOLOGY CENTER 2800

In re Application of:

Hidenori KAMEI, et al.

Serial No.: 09/680,943

Filed: October 10, 2000

For: P-TYPE NITRIDE SEMICONDUCTOR AND )  
METHOD OF MANUFACTURING THE SAME )

) Group Art Unit: 2823

) Examiner: DEVEN M. COLLINS

ELECTION UNDER 35 U.S.C. § 121

Hon. Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the restriction requirement set forth in the Office Action mailed November 23, 2001, having a shortened statutory period for response set to expire December 23, 2001, wherein the Examiner required restriction between Group I - claims 1-10, drawn to a method for manufacturing a p-type nitride semiconductor and Group II, claims 11-12, drawn to a p-type nitride semiconductor, Applicants elect without traverse, Group I - claims 1-10 for initial prosecution on the merits. Please cancel claims 11-12 without prejudice.

Applicants also reserve the right to file a Divisional Application for the non-elected claim 11-12, which the Examiner has indicated is patentably distinct.

Applicants believe that no extension of time is required. However, this

conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: 12/18/01

By:

  
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